DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

JUL 1 2008

MEMORANDUM FOR THE DIRECTOR OF CIVIL WORKS

SUBJECT: Implementation Guidance for Section 5018 of the Water Resources Development Act of 2007 - Missouri River and Tributaries, Mitigation, Recovery, and Restoration, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming.

1. The purpose of this memorandum is to provide implementation guidance for Section 5018 of the Water Resources Development Act of 2007 (WRDA 2007).

2. Subsection (a) of Section 5018 of WRDA 2007 directs the Secretary, in consultation with the Missouri River Recovery Implementation Committee (MRRIC), to conduct a study of the Missouri River and its tributaries to determine actions required to:

a) Mitigate losses of aquatic and terrestrial habitat;
b) Recover federally listed species under the Endangered Species Act; and,
c) Restore the ecosystem to prevent further declines among other native species.

3. The study conducted under Section 5018(a) should identify a single, comprehensive and integrated plan to guide the implementation of programs associated with mitigation, recovery, and restoration activities in the Missouri River Basin. The study shall be conducted in accordance with ER 1105-2-100, and should follow a watershed approach consistent with the geographic scope and complexity of issues within the Missouri River Basin. However, the study should not be a broad multiple-purpose effort; rather, its focus should be on addressing opportunities for mitigation of lost aquatic and terrestrial habitat, recovery of ESA listed species, and restoration of degraded aquatic ecosystems.

4. Funding for Section 5018(a) is to be derived from funds made available to carry out Missouri River recovery and mitigation program as authorized in section 601(a) of WRDA 1986 and as subsequently amended by Section 334 of the WRDA of 1999. The study shall be 100 percent federally funded.

5. Subsection (b) of Section 5018 requires the Secretary of the Army to establish a committee, to be known as the Missouri River Recovery Implementation Committee, or "MRRIC" to carry out the responsibilities and activities set forth in Section 5018(b)(3). The duties that fall to MRRIC include a duty to provide guidance to the Secretary with respect to the study conducted under subsection (a) as well as the duty to provide recommendations and guidance to the Secretary with respect to the Missouri River recovery and mitigation plan in existence on the date of enactment of the WRDA 2007.

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6. Concomitant with this implementation guidance, I approve the attached charter thereby establishing MRRIC. Further, I delegate the authority to implement the attached MRRIC charter, including responsibilities related to administrative and logistical support, and the establishment and implementation of a regional process for the selection and appointment of members of MRRIC, to the Commander, Northwestern Division.

John Paul Woodley, Jr.

John Paul Woodley, Jr.
Assistant Secretary of the Army
(Civil Works)

Missouri River Recovery Implementation Committee

Charter

July 1, 2008

Preamble:

The Secretary of the Army (Secretary) hereby establishes the Missouri River Recovery Implementation Committee (Committee) as authorized by Section 5018 of the 2007 Water Resources Development Act (WRDA) to make recommendations and provide guidance on a study of the Missouri River and its tributaries and on the existing Missouri River recovery and mitigation plan. The Committee will provide a collaborative forum for the basin to come together and develop a shared vision and comprehensive plan for Missouri River recovery. The Committee will help guide the prioritization, implementation, monitoring, evaluation, and adaptation of recovery actions. The Committee will include broad stakeholder representation to ensure a comprehensive approach to Missouri River recovery implementation while providing for congressionally authorized Missouri River project purposes and to ensure that public values are incorporated into the study and the recovery and mitigation plans.

1) Purpose and Scope:

a) The Purpose and Scope of the Committee are to:

i) Provide recommendations and guidance on a study of the Missouri River and its tributaries to determine actions required to:

(1) Mitigate losses of aquatic and terrestrial habitat

(2) Recover federally listed species under the Endangered Species Act of 1973

(3) Restore the ecosystem to prevent further declines among other native species

ii) Provide guidance with respect to the existing Missouri River mitigation and recovery plan, including recommendations on:

(1) Changes to the implementation strategy as a result of adaptive management

(2) Coordination of the development of consistent policies, strategies, plans, programs, projects, activities, and priorities for the Missouri River recovery and mitigation plan

(3) Exchange of information regarding programs, projects, and activities of the agencies and entities represented on the Committee to promote the goals of the Missouri River recovery and mitigation plan

(4) Establishment of such working groups as the Committee determines to be necessary to assist in carrying out the duties of the Committee, including duties relating to public policy and scientific issues

(5) Facilitation of the resolution of interagency and intergovernmental conflicts between entities represented on the Committee associated with the Missouri River recovery and mitigation plan

(6) Coordination of scientific and other research associated with the Missouri River recovery and mitigation plan

(7) Preparation of an annual work plan and associated budget requests

iii) Provide recommendations and guidance that will include:

(1) Recognition of local stakeholders' social and economic, historical and cultural, flood control, irrigation, agriculture, internal drainage, water supply, water quality, navigation, hydropower, thermal power, science, natural resources, conservation, and recreation issues, and any other issues identified by the Committee

(2) Identification of impacts to stakeholders

(3) Identification of actions that will benefit multiple uses of the river

(4) Avoidance, minimization, and/or mitigation of adverse impacts

b) Participation in the Committee by Tribal entities does not substitute for nor replace federal requirements to consult with Tribal entities pursuant to federal laws and regulations, such as: Executive Order 13175, Tribal Consultation; any federal agency's trust responsibilities to a federally recognized tribe in the Missouri River Basin or a tribe that has historically been on the Missouri River; and/or replace any treaty or right thereof such as: the Portage des Sioux Treaty (July 1815); the Treaty of Ft. Laramie, 11 Stat. 749 (Sept 17, 1851); the Treaty with the Omaha, 10 Stat. 1043 (March 16, 1854); the Treaty of Ft. Laramie, 15 Stat. 635 (April 29, 1868); Title VI-Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act of the Omnibus Consolidated and Emergency Appropriations Act of 1999, PL 105-277, 112 Stat. 2681, 2861-660-670 (October 21, 1988), as amended by Title IV of the Water Resources Development Act of 1999, PL 106-53, 113 Stat 269, 385-397 (August 17, 1999), and as otherwise amended; and any other treaty or right. Cooperation with the federally recognized tribes engaged in this process should be interpreted as "in good faith."

c) Participation in the Committee by State, Tribal, or Federal entities does not limit their discretion; alter, affect, impair, delegate, or relinquish their statutory or other legal rights and responsibilities, including any right to legal remedies; or otherwise waive their sovereign immunity under applicable law; create any new right to any type of administrative review or create any new right to judicial review or any other right or benefit, substantive or procedural, enforceable by or against these entities or any other stakeholder participating in the Committee; and affect Tribal reserved water rights, treaty rights, or water rights administered by the Tribes and/or States, including the "Winters' Doctrine", Winters v United States, 207 U.S. 564 (1908). If the processes and procedures of the Committee would impede the implementation of any action for which agencies of the States, Tribes, or United States are obligated under law, that agency reserves the right to proceed with fulfilling those obligations in such manners as it may deem appropriate.

d) Participation in the Committee by State, Tribal, or Federal entities is also contingent upon availability of funding or appropriation by their respective State, Tribal, or Federal authorities, and their participation does not obligate any specific amount of expenditures in furtherance of this Charter; such expenditures being at the discretion of the State, Tribal, or Federal entity.

2) Convening Authority:

The Committee is convened under the authority of Section 5018 of the Water Resources Development Act of 2007.

3) Definitions - Glossary of Terms and Acronyms

a) **Adaptive Management:** A type of natural resource management in which decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into management approaches that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, and practices. The purpose of adaptive management is to help meet environmental, social, and economic goals, increase scientific knowledge, and reduce tensions among stakeholders. (Source: Adapted from Unified Federal Policy for a Watershed Approach to Federal Land and Resource Management and the U.S. Department of the Interior Technical Guide)

b) **Consensus:** All non-federal members of the Committee can support or live with an action or recommendation when quorum requirements are met.

c) **Guidance:** The process by which recommendations are used to inform appropriate agencies about Missouri River recovery-related activities.

d) **Lead Agency:** The U.S. Fish and Wildlife Service (USFWS), the U.S. Army Corps of Engineers (Corps of Engineers), and other agencies as necessary for specific issues.

e) **In Good Faith:** The sincere intention to deal fairly and equitably with Tribes and others, without deception. The willingness of all Committee members to interact openly, honestly, and respectfully with all other members.

f) **Meeting:** A gathering of the Committee lasting one or more partial or full days, as defined in the Committee's operating procedures and guidelines.

g) **Mitigation:** This sequential process includes (a) avoiding the impact altogether by not taking a certain action or parts of an action; (b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (c) rectifying the impact by repairing, rehabilitating, or restoring the affected human or natural environment; (d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of an action; (e) compensating for the impact by replacing or providing substitute resources or environments. (Source: Adapted from the Council on Environmental Quality, 40 CFR 1508.20)

h) **Participating Agency:** Federal agencies involved in the Committee process other than the USFWS or Corps of Engineers unless designated as a lead agency for a specific issue.

i) **Plan:** The Missouri River recovery and mitigation plan referenced in Section 5018 (B)(3)(b) of the Water Resources Development Act of 2007.

j) **Public Notice:** Notice given to members of the public at least thirty (30) days prior to an event. It shall include but not be limited to written notice given by e-mail and by regular mail to:

   (1) All members of interest groups who shall sign up to receive notice

   (2) Persons who have been designated by members of the Committee to receive notice

   (3) Newspapers and radio stations generally covering the basin and to four (4) specific newspapers recommended by members of the Committee

k) **Quorum:** A quorum shall consist of those Committee state representatives and those Committee tribal representatives who are present at the meeting and 51% of the stakeholders as identified in Section 5(a)(v), who are at the time appointed to the Committee.

l) **Recommendations:** Official suggestions, comments, or advice representing the consensus of the Committee and provided to the appropriate governmental or non-governmental agencies, groups, or persons.

m) **Recovery:** Improvement in the status of a species listed under the Endangered Species Act to the point that it is not likely to be in danger of extinction in the foreseeable future throughout all or a significant portion of its range. (Source: Adapted from USFWS Regulations and the Endangered Species Act)

n) **Restoration:** To fully or partially reestablish the attributes of a naturalistic, functioning, and self-regulating system. (Source: Engineer Pamphlet 1165-2-502: Ecosystem Restoration - Supporting Policy Information, USACE)

o) **Secretary:** Pursuant to 10 USC 3016(b)(3), the Assistant Secretary of the Army for Civil Works shall act for the Secretary of the Army for the purposes of this Charter.

p) **Stakeholder:** Any organization or individual that has a direct interest in actions or decisions of the Missouri River restoration, recovery and mitigation plan, or study. For the purposes of Section 5 of this Charter, representatives of Federal Agencies, Tribes, and States are not considered stakeholders. In the appointment process, all things being equal, preference will be given to residents of, or organizations located in or adjacent to, the basin.

q) **Study:** The study referenced in Section 5018 (a) of the Water Resources Development Act of 2007.

r) **Substantive Issue:** An issue for which the Committee is considering developing recommendations and other decisions identified as substantive in the Committee's operating rules and procedures.

4) Charter Amendment:

The Committee may propose amendments to the Charter in accordance with its decision making process. Public notice will be given and public comments will be received prior to the Committee recommending the amendment to the Secretary for final adoption.

5) Membership and Representation of Interests:

a) Members and Alternates

i) The Secretary will maintain a list of the members and alternates of the Committee.

ii) Federal Agencies

(1) Federal agencies with programs affecting the Missouri River may be members of the Committee. Federal agency membership may include those agencies currently represented on the Missouri River Basin Interagency Roundtable (MRBIR) and any other federal agency designated by the Secretary. This includes federal agencies with management responsibilities, jurisdiction by law, regulatory authorities, technical expertise, and/or resource responsibilities affecting the Missouri River. To initiate the Committee, the lead agencies will be the U. S. Army Corps of Engineers and the U. S. Fish and Wildlife Service. Participating federal agencies may include the Bureau of Reclamation, Natural Resource Conservation Service, Environmental Protection Agency, Western Area Power Administration, United States Geological Survey, Maritime Administration, the National Park Service, and any other agency designated by the Secretary.

(2) Federal agencies will not be counted for purposes of Committee quorum requirements and will not participate in the determination of consensus recommendations.

(3) Federal agencies that wish to participate in the Committee will inform the Secretary of their agency's interest, explaining why they wish to be involved, and provide the name of their Committee representative and an alternate.

(4) Lead Federal Agencies will be represented on the Committee by officials at the Senior Executive Service (SES) level or their deputies. Lead Federal Agency representatives will participate fully and completely in all Committee meetings and any sub-committees or panels formed by the Committee.

(5) Participating Federal Agencies will be represented by officials appointed by their respective agencies. These representatives will be available to answer questions, provide information, and state their opinions and recommendations at Committee meetings (including any subcommittees and panels) on recommendations directly affecting the Participating Federal Agency's management or resource responsibilities, jurisdiction by law, or regulatory authorities.

(6) Participating Federal Agencies will be able to participate temporarily as a Lead Agency, at the SES or their deputy level, when any issue being discussed or considered by the Committee could directly affect the Participating Federal Agency's management or resource responsibilities, jurisdiction by law, or regulatory authorities.

iii) States:

(1) As states located in or near the basin, the following states are eligible for membership in the Committee. For those states that choose to participate, the governor shall appoint one (1) representative and one (1) alternate.

(a) Iowa

(b) Kansas

(c) Missouri

(d) Montana

(e) Nebraska

(f) North Dakota

(g) South Dakota

(h) Wyoming

iv) Tribes:

(1) The following tribes are eligible for membership in the Committee. Those tribes that choose to participate will appoint one (1) representative and one (1) alternate in accordance with tribal procedures.

(a) Ft. Peck Assiniboine and Sioux Tribes

(b) Blackfeet Tribe

(c) Cheyenne River Sioux

(d) Chippewa Cree Tribe

(e) Crow Creek Sioux Tribe

(f) Crow Nation

(g) Eastern Shoshone Tribe

(h) Flandreau Santee Sioux Tribe

(i) Ft. Belknap Indian Community

(j) Iowa Tribe of Kansas and Missouri

(k) Kickapoo Tribe of Kansas

(l) Lower Brule Sioux Tribe

(m) Northern Arapaho Tribe

(n) Northern Cheyenne Tribe

(o) Oglala Sioux Tribe

(p) Omaha Tribe of Nebraska

(q) Ponca Tribe of Nebraska

(r) Prairie Band of Potawatomi Nation

(s) Rosebud Sioux Tribe

(t) Sac and Fox Nation of Missouri in Kansas and Nebraska

(u) Santee Sioux Nation

(v) Sisseton - Wahpeton Sioux Tribe

(w)Spirit Lake Sioux Tribe

(x) Standing Rock Sioux Tribe

(y) Three Affiliated Tribes

(z) Turtle Mountain Band of Chippewa

(aa) Winnebago Tribe of Nebraska

(bb) Yankton Sioux Tribe

v) Stakeholders:

(1) There will be a maximum of twenty-eight (28) stakeholder members, broken down into the interests below. Each interest shall have a maximum of two (2) representatives and two (2) alternates.

(a) Navigation

(b) Irrigation

(c) Flood Control

(d) Fish and Wildlife

(e) Recreation

(f) Water Quality

(g) Water Supply

(h) Agriculture

(i) Conservation Districts

(j) Waterway Industries

(k) Major Tributaries

(l) Thermal power

(m) Hydro power

(n) At large/other interests, e.g. cultural and historic preservation

(o) Local Government

(p) Environmental/conservation organizations

(2) Appointment, Terms of Office, and Attendance

(a) Terms

The standard Committee appointment will be for a term of three years. At the first organizational meeting of the Committee, through a random drawing, one-third of the stakeholders will be appointed to a one-year term. Another third will be appointed to a two-year term. The final third will be appointed to a three-year term. This provision applies to the initial terms of the founding Committee members. Thereafter, all terms will be three years.

(b) Term Limits:

There will be no limit to the number of terms a member may be appointed to serve.

(c) Stakeholder Member Appointments and Vacancies:

(i) Stakeholder vacancies will be published in the Federal Register and public notice will be given and broadly disseminated within the Missouri River basin by the U.S. Army Corps of Engineers. Interested parties will submit applications to the Secretary. Applications from interested parties will be forwarded to the Committee for the purpose of providing a recommendation of appointment following its decision-making process. For the initial appointments, the Planning Group, which assisted in the development of this Charter, will provide recommendations to the Secretary. The Secretary will appoint stakeholder members for terms in accordance with paragraph 5(a)(v)(2)(a).

(ii) Each year the Committee will forward to the Secretary a list of those stakeholder members whose terms will expire and those who wish to remain on the Committee. Incumbent members wishing to remain on the Committee do not need to re-submit an application to the Secretary. Members may continue to serve until the Secretary appoints a replacement.

(d) Stakeholder Application Qualifications:

Stakeholders will demonstrate they represent an interest in the Missouri River basin.

(e) Alternate Members:

Alternates will apply in the same manner as stakeholder members and will be recommended by the stakeholder member. Upon appointment by the Secretary, the alternate will serve during the temporary absence of the member. In the instance of the permanent absence of the member, the alternate will fill the remainder of the term.

(f) Termination

(i) If a member is not in attendance or represented by an alternate at two consecutive meetings, the Committee may recommend termination of that member and alternate to the Secretary after giving notice to the affected parties and giving them the opportunity to respond.

(ii) A member or alternate will notify the Chair if they are no longer able to serve. The Secretary will be notified of the vacancy.

b) Roles, Responsibilities, and Leadership

i) Chair and Vice-Chair

(1) The Committee shall select a Chair and Vice Chair who may be a member of the Committee. The Chair will be responsible for protecting the interests of all Committee members and alternates. S/he will act in a fair and balanced manner with respect to the Committee's operation and the conduct of Committee meetings. The Chair will strive to determine the views of all Committee members regarding Committee advice and work to achieve consensus.

(2) The Chair will be responsible for running Committee meetings, including opening, enforcement of operating rules, and adjournment. The Chair may call a meeting subject to the public notification procedures of the Committee. The Chair will be responsible for collaboratively developing meeting agendas and reviewing draft meeting minutes and summaries for accuracy and completeness.

(3) The Chair shall have the authority to represent the scope and purpose of the Committee and convey the consensus decisions of the Committee to agencies, elected officials, and in public settings, but shall not act in a lobbying capacity.

(4) The Chair and Vice Chair will serve or be removed with the consensus of the Committee. The term of office of the Chair and Vice Chair will be one (1) year, with the opportunity for reappointment for no more than three (3) additional terms of one (1) year each. Should a Committee member believe the Chair and/or Vice Chair are not performing in a fair and balanced manner, it is the responsibility of the member to raise his/her concerns to the Chair or to the full Committee for consideration.

(5) The Vice-Chair will assume the duties of the Chair in her/his absence.

(6) The Chair and Vice-Chair shall be selected at the last meeting of the calendar year and assume office at the first meeting of each calendar year.

(7) The Chair and Vice-Chair shall not be employees of the federal government.

ii) Member and Alternate Responsibilities

(1) Members and alternates are expected to honor their commitment to seek consensus.

(2) All members and alternates will be accurate and respectful with regard to their communications with others.

(3) Members and their alternates will be responsible for representing the interests and concerns of the organizations, institutions, and constituencies they represent.

(4) It is the affirmative responsibility of members and alternates to voice dissent if they cannot support or live with a recommendation. If a member objects to a recommendation, it is also his/her affirmative responsibility to articulate the reasons behind the objections and to provide an alternate proposal if possible.

(5) Members and alternates are free to abstain from a determination of consensus for whatever reasons. However, it is the responsibility of each member and alternate to affirmatively state his or her desire to abstain from participating in a determination of consensus if she/he so chooses. Abstentions will not affect the determination of a quorum.

(6) Members and alternates will adhere to the Committee's charter, operating procedures, and ground rules. They are expected to give due consideration to the procedural guidance and recommendations of the Chair.

iii) Working Groups and Subcommittees

(1) The Committee may create special work groups or sub-committees as necessary to accomplish its purposes. These may include individuals not on the Committee.

iv) Written Directives and Scopes of Work

Prior to commencing work, the Committee will provide each working group or sub-committee written instructions that outline the purpose of the work and the tasks being requested, as well as specifying its members, their roles and responsibilities, the expected work products, and the specific time frames for reports and completion of the group's work.

v) Independent Panels

Lead and participating agencies may convene panels independent of the convening agencies as requested by the Committee to advise the Committee on substantive issues as identified by the Committee. The Committee will recommend panel members as established by its operating procedures.

6) General Committee Operations

a) Operating Procedures and Guidelines

The Committee will develop a set of operating procedures and guidelines to set forth in detail how it shall conduct meetings and accomplish the requirements of this charter.

b) Meetings

i) Meeting frequency and location

(1) The first meeting of the Committee will be convened by the Secretary on or before October 1, 2008.

(2) The Committee will meet a minimum of two (2) times per year and will determine meeting dates and locations.

c) Communications, Record Keeping, Documents, and Reports

i) Open meetings

Except as provided herein, each Committee meeting will be open to the public. Interested persons shall be permitted to attend, offer public comment, or file statements with the Committee.

ii) Executive sessions

The Committee may call an executive session that is closed to the public upon the consensus of the members present. An executive session may only be called for legal, personnel, or property transfer issues directly pertaining to the Committee. Decision-making will be conducted during the open meetings.

iii) Notice of meetings

Public notice of each such meeting of the Committee will be given as provided for in the Operating Procedures.

iv) Minutes and approval of minutes

Detailed minutes of each Committee meeting will be kept by an independent, qualified note taker. These minutes and summaries of the minutes will be approved by the Committee in accordance with its decision making process.

v) Availability of records

Any records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by the Committee will be available for public inspection and copying, except as provided by law.

vi) Assessment and Self-Evaluation

The Committee will conduct a self-evaluation of its operations every year.

vii) Reports

The Committee will submit an annual report to the Secretary.

d) Consensus and Decision Making

i) Process

(1) The Committee's goal is to reach consensus on all substantive issues brought before it. Federal Agency representatives may participate [per section 5(a)(ii)] in the discussion of all matters pending before the Committee and provide their opinions, input, and suggestions. The Committee will only make recommendations where there is a consensus. Federal agencies will not participate in the determination of the Committee's consensus recommendations.

(2) Consensus recommendations will be made using a two-step process with information, discussion, proposal development, and tentative consensus at the first meeting and actions no sooner than the next meeting to assure adequate notification of and deliberations by Committee members and the interests they represent. Upon consensus of the Committee, the two-step process may be waived except for recommendations to federal and/or other agencies and Charter amendments.

(3) If consensus cannot be reached, the Chair will designate a period of time to be set aside to address the issue during at least two different meetings. If consensus still cannot be reached, the meeting minutes will not characterize or quantify the level of support for the differing views.

(4) Once consensus is reached on any recommendation, the Chair will ask the Lead Federal Agency representatives involved with the issue being considered whether they can endorse the recommendation. The Lead Federal Agencies will be requested to respond immediately to the Committee, if possible, or by an agreed upon date. Lead Federal Agency endorsement is not necessary for a consensus recommendation to be submitted to the appropriate government entity.

(5) Once recommendations and guidance are delivered by the Committee to the Secretary, it is requested that s/he, in coordination with other participating Federal Agencies, agrees to provide the official federal position on the issue and outline the steps to implement the recommendations by an agreed upon date or provide the reason(s) for not implementing the recommendation.

(6) Committee members are free to abstain from a determination of consensus. Abstentions will be recorded in the meeting minutes when requested by the individual who wishes to abstain.

e) Reports, Work Plans, and Proposals

i) The U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and other agencies as requested by the Committee will provide reports at least on an annual basis, related to Missouri River and tributaries recovery, mitigation, and restoration, which include the status of recovery activities for the pallid sturgeon, interior least tern, and piping plover. In addition to construction, monitoring, research, and propagation activities, the annual reports will address:

(1) Number of pallid sturgeons, interior least terns, and piping plovers present over their entire ranges, where available

(2) Downlisting and/or delisting criteria, including target numbers, for the pallid sturgeon, interior least tern, and piping plover for the Missouri River and their entire ranges

(3) Comparison of numbers for the pallid sturgeon, interior least tern, and piping plover with previous years' reports

(4) Progress and effectiveness of adaptive management toward the pallid sturgeon, interior least tern, and piping plover recovery

(5) Other reports as requested by the Committee.

ii) Reporting agencies will be prepared to respond to specific questions from the Committee, by an agreed upon date, regarding recovery status and recovery activities.

iii) Federal agencies involved in recovery, mitigation, and restoration efforts in the basin will submit status reports, work plans, and cost estimates to the Committee at least annually.

iv) Other federal, tribal, and state agencies, as well as non-governmental organizations may also submit recovery and restoration proposals for review by the Committee.

f) Budget, Funding, and Support Services

i) General

(1) Subject to the availability of appropriations and subject to the limitations of the Secretary's authorities, the Secretary shall provide funding to achieve the purposes of the Committee as described in Section 5018.

(2) Annual funding level recommendations for the Committee will be developed through annual coordination between the Committee and the Secretary.

7) Interactions Outside The Committee:

a) Web Site

The Secretary will maintain a Web site as a clearinghouse for Committee related information.

b) Annual Conference

The Committee may host an annual conference to provide information to the public on the Missouri River Recovery and Mitigation Program including plans and studies as referred to in Section 5018 and any other plans related thereto.